

**CALENDAR ITEM
C38**

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02/20/15
PRC 8613.1
G. Asimakopoulos

**GENERAL LEASE – RECREATIONAL AND
PROTECTIVE STRUCTURE USE**

APPLICANTS:

Tyson M. Shower and Hilary J. Shower

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River, adjacent to 6941 Garden Highway, near the city of Sacramento, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered single-berth floating boat dock with boat lift, ramp, three pilings, and bank protection.

LEASE TERM:

10 years, beginning June 20, 2015.

CONSIDERATION:

Uncovered Single-Berth Floating Boat Dock with Boat Lift, Ramp, and Three Pilings: \$268 per year, with an annual Consumer Price Index adjustment.

Bank Protection: The public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such to be in the State's best interests.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.
2. On June 20, 2005, the Commission authorized a General Lease – Protective Structure and Recreational Use to Tyson M. Shower and Hilary J. Shower. The lease will expire on June 19, 2015. The Applicants are

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now applying for a new General Lease – Recreational and Protective Structure Use.

3. The bank protection will mutually benefit both the public and the Applicants. The bank of the Sacramento River will have additional protection for the river channel from wave action provided at no cost to the public.
4. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

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AUTHORIZATION:

Authorize issuance of a General Lease – Recreational and Protective Structure Use to Tyson M. Shower and Hilary J. Shower, beginning June 20, 2015, for a term of 10 years, for the continued use and maintenance of an existing uncovered single-berth floating boat dock with boat lift, ramp, three pilings, and bank protection as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration for the existing uncovered single-berth floating boat dock with boat lift, ramp, and three pilings: \$268 per year with an annual Consumer Price Index adjustment; consideration for the bank protection: the public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 8613.1

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of the Sacramento River, lying adjacent to Swamp and Overflow Survey 922, patented July 16, 1898 of the County of Sacramento, State of California, and more particularly described as follows:

PARCEL 1 – DOCK

All those lands underlying an existing single-birth floating boat dock, boat lift, ramp, and three (3) pilings, lying adjacent to that parcel as described in that Grant Deed recorded August 1, 2003 in Book 20030801 Page 2029 of Official Records of said County.

TOGETHER WITH any applicable impact area(s).

ALSO TOGETHER WITH that land lying immediately beneath any bank protection structure lying adjacent to said parcel.

EXCEPTING THEREFROM any portion(s) lying landward of the Ordinary High Water Mark of the Sacramento River.

Accompanying plat is hereby made a part of this description.

END OF DESCRIPTION

Prepared November 6, 2014 by the California State Lands Commission Boundary Unit.



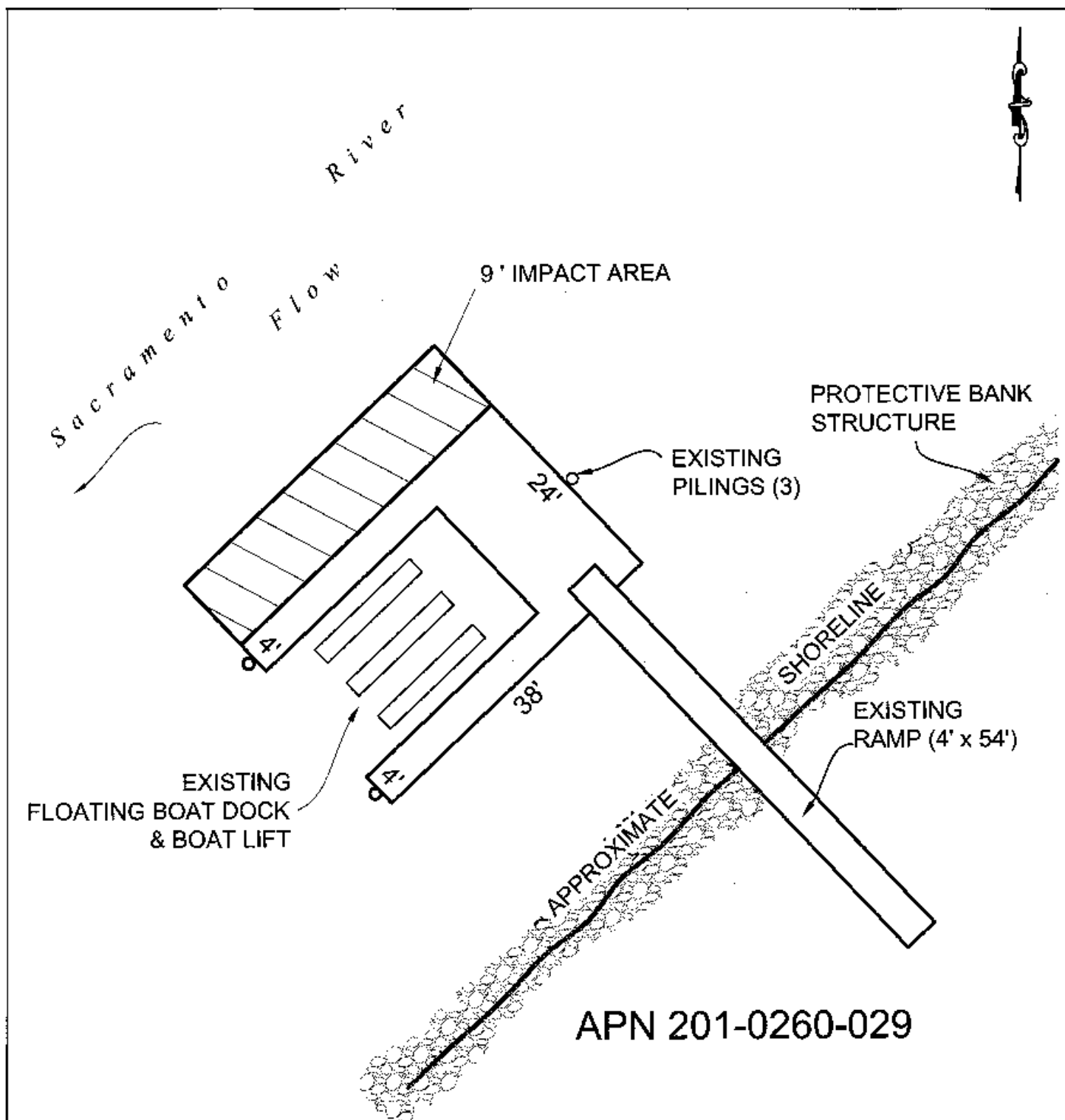


EXHIBIT A

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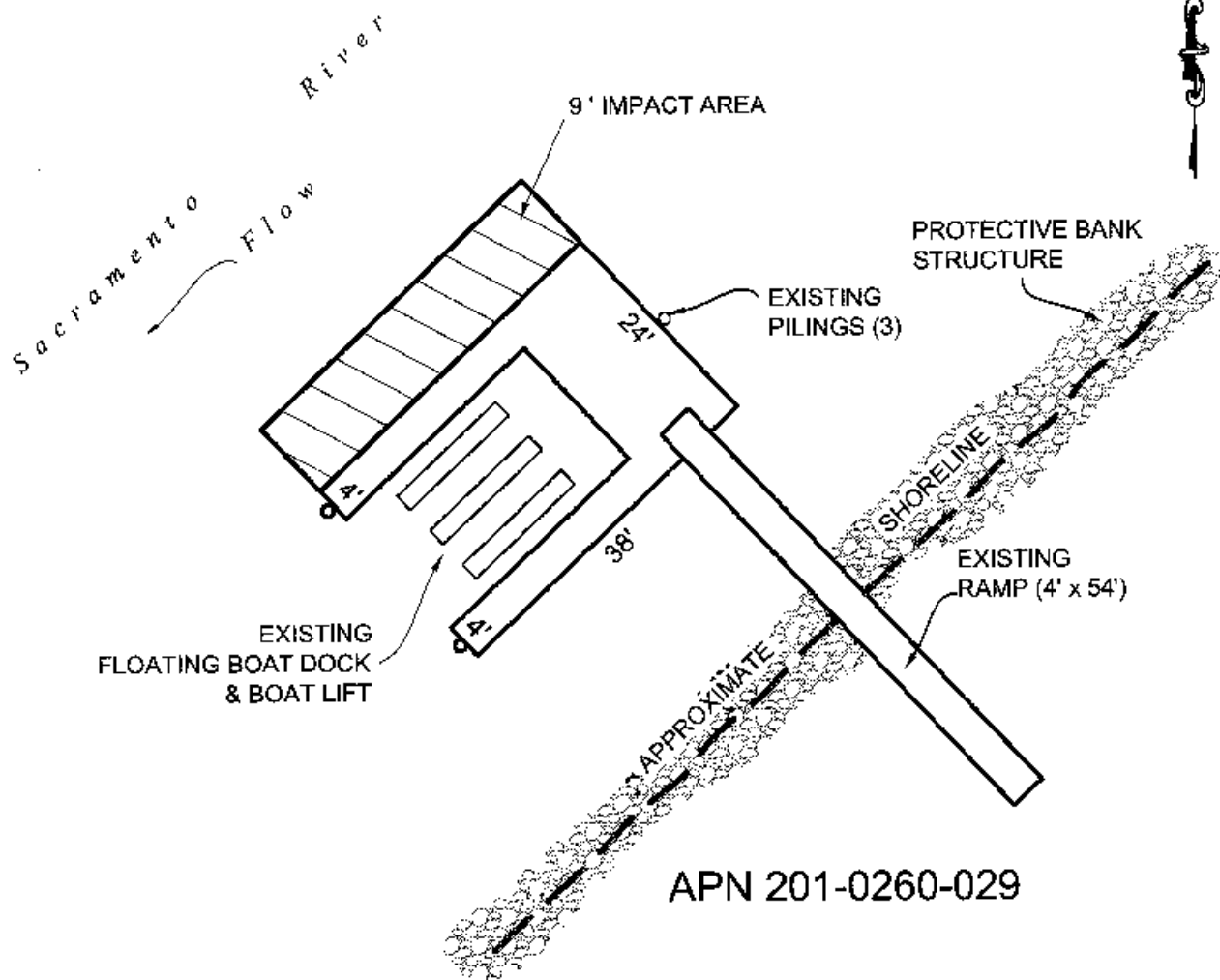
LAND DESCRIPTION PLAT
PRC 8613.1, SHOWER
SACRAMENTO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE



6941 GARDEN HWY., SACRAMENTO

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B

PRC 8613.1

SHOWER

APN 201-0260-029

GENERAL LEASE -

RECREATIONAL & PROTECTIVE
STRUCTURAL USE
SACRAMENTO COUNTY



MDJ 11/06/2014